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involves a doubt as to their equality and is foreign to the idea of arbitration.

When we treat of vital interests we touch a subject never properly to be withdrawn from arbitration. What are vital interests? They are to-day whatever the nation declares to be such and withdraws from arbitration. The so-called vital interests are matters of commerce, trade and politics. As to matters of trade and commerce, we shall submit that their advancement as a basis for vital interests is founded upon a misconception of the purposes of government. As I take it, governments are formed to preserve the true liberty of the individual, to protect him in his rights of person and, as subordinate to his rights of person, his rights of property. They are not formed to extend and develop commerce and trade as such. Properly speaking, no nation has political interests beyond its own borders, and, were we to enter upon the reign of arbitration, no question of political interest, as we shall attempt to demonstrate, could properly arise.

Politically speaking, vital interests are, when analyzed, found to be based upon either a desire to ultimately possess something now belonging to another or a fear that a strong nation may violently so enlarge itself as to endanger us. With the thorough establishment of unrestricted arbitration we will not be able to indulge our predatory instincts at the expense of our neighbors. With such condition we will not fear lest another nation so aggrandize itself by violence as to be a source of danger to us. At one and the same time we would restrain our own unjust acquisitiveness and we would lose our fear. The thorough establishment, therefore, of arbitration means the cancellation of the term "vital interests" as applied to politics.

Can we hope for justice from arbitration? We might, in view of the course of our discussion, respond by asking, Has justice been obtained from war? Long ago legislators found that the wager of battle failed to secure justice as between man and man. Without lengthening the discussion, we may believe that armed conflict has not on the whole advanced the rule of right. When at one time war has served to check inordinate ambition, at as many others it has furthered its purposes. We may concede that in private matters justice has often gone forward with halting steps, has even at times seemed to go backward; yet who among us would dispense with the conclusions of judge and jury and revive the wager of battle?

From the beginning, with the advantage of national precedents and experiences, we may expect arbitration to bring us approximate justice. That always exact justice should be rendered may not be expected. The members of our Supreme Court, differing as they frequently do most vitally, will not say that this tribunal has never erred. But, despite the possibility of error, we find that order and the well-being of the community must be maintained even at the chance of individual injustice, a chance which no human skill can eliminate.

But arbitral history leads us to the conclusion that more than an approximation of right may be expected, that a tribunal which is the centre of observation by the whole world will seek to give, and will give, a judgment as nearly righteous as may be. In the whole history of arbitrations but one has ever been suspected of corrup-

tion, and, by joint agreement, its findings were reviewed. Slight criticism may be made of the generality of other like tribunals. To-day, doubtless, even the English will agree that the findings of the Alabama Joint High Commission were just.

Of the four arbitral sentences given by the Permanent Court of Arbitration at The Hague, but one — that in the Venezuelan Preferential Case — has received serious criticism. Even in this case judicial settlement, though perhaps erroneous, was immensely valuable.

Let it not be said that the ideas to which I have sought to give expression are too advanced, are impractical. It is only by "hitching our wagon to a star" that we may progress. Let us not forget that there is nothing blinder and stupider, nothing less practical, than the so-called practical man; that only among the dreamers of dreams of human advancement are to be found those whom the flow of events demonstrates to have had the clearness of vision of the truly practical man.

Platform of the Pennsylvania Arbitration and Peace Congress.

The following resolutions, offered by Thomas Raeburn White, chairman of the Committee on Resolutions, were adopted by the Pennsylvania Peace Congress May 19:

"We express our profound satisfaction in the long record of the United States as an advocate of international arbitration, and in the great number of cases in which it has secured an honorable settlement of serious difficulties without a resort to war. We especially commend the admirable course of our government at the second International Peace Conference at The Hague, and pledge our active and cordial support to every effort to fulfill the recommendations of that Conference. There are no other means by which our nation can render so great a service to humanity or do so much for the moral development and material prosperity of its own citizens.

"The difficulties which have hitherto prevented a general agreement for the limitation of national armaments should not be permitted to obscure the plain reasonableness and the imperative necessity for further efforts in that direction. Modern conditions have made it impossible for any of the leading nations to add materially to their relative military or naval strength, because every addition to the fighting force of one country leads at once to a corresponding increase in the other countries, and these secondary increases are made to serve in their turn as conclusive arguments for still greater and still more injurious and demoralizing expenditures and efforts by all the powers. It is obvious that this self-multiplying and self-perpetuating process can end only in physical and financial exhaustion unless it can be halted by some kind of mutual understanding or agreement, and we therefore emphatically indorse the recommendation of the Hague Conference that the serious study of this vital problem should be again undertaken by all the nations.

"We strongly approve the proposal to establish an International Prize Court at The Hague. We realize the injustice of the present system by which neutral vessels accused of violating the laws of war are judged in the Courts of the captor, and by which foreign citizens unjustly deprived of their property can seek redress only

through the expensive, unsatisfactory and wearisome method of diplomatic intervention. We welcome the proposed court not only as providing a speedy and equitable method of adjusting one class of international disputes, but as a happy augury of a more complete system of world judicature to be established in future. We believe that the United States will honor itself by providing for appeals from its Courts to the International Prize Court, and, affirming our belief in the constitutionality of the measure, we urge the United States Senate to speedily ratify the convention without waiting for a world agreement relative to the laws concerning maritime captures, believing that the jurists who shall compose the court can be trusted to decide the law in such cases in full accord with the principles of justice and equity.

"We especially congratulate the United States delegation to The Hague upon its distinguished service in securing the recommendation of the establishment of an International Court of Arbitral Justice in the form agreed upon, 'as soon as an agreement shall have been reached upon the selection of the judges and the constitution of the court.' We call attention to the fact that the recommendation, naming no numbers of powers who must consent, leaves it open for the court to be established at The Hague as soon as three or more nations shall agree upon the method of selecting the judges. Until such a court is created to which the nations of the earth may resort with the assurance that their disputes will be judicially considered and rightly decided, resort to the law of violence will be in some cases almost certain.

"We strongly urge the United States government to take every action which it may deem expedient to secure the consent of two or more other nations to establish this great world court, believing that in this way it is now possible to render a most signal and memorable service to all mankind.

"We urge as a matter of primary importance that there shall be a general adoption of the proposal that conferences similar to this shall be held in every State of the Union, for promoting the universal acceptance of the principles of international arbitration and the establishment of permanent courts of justice for the nations as the only practical means to insure the blessings of peace, by making wars improbable and ultimately impossible in the civilized world. Such conferences will serve as the organizers and representatives of public opinion in their respective States. Their executive committees, acting together through delegates or otherwise, will exert a powerful influence in supporting the efforts of our national government, and in other ways will promote the cause of international arbitration at home and abroad.

"The president of the conference is hereby requested and empowered to appoint an executive committee of twenty-five, with power to add to and to fill vacancies in its own number. It shall be the duty of the said executive committee to act as the representative of this conference for the continuance of its work and the promotion of its objects, and for those purposes it is authorized in its discretion to confer and cooperate with other bodies or committees or individuals from any part of the United States or other countries. It is also empowered to call another meeting of this Conference, to organize

a State association for similar purposes, if it shall at any time find that such action will be advisable."

THE UNITED STATES AND JAPAN.

This supplemental resolution, offered by Rev. J. H. DeForest, D.D., of Sendai, Japan, was also adopted:

"*Resolved*, That this Pennsylvania Arbitration and Peace Conference, assembled in Philadelphia May 16 to 19, 1908, and composed of representatives of numerous organized bodies in this State, official, educational, judicial, religious, industrial, literary, hereby sends to Japan, our great neighbor across the Pacific, our expressions of warm satisfaction over the signing of the first arbitration treaty between the governments of Dai Nippon and the United States;

"That we rejoice in the most friendly invitation on the part of Japan to our navy to visit her ports, which cordial invitation, as cordially accepted by our government, will, we fully believe, make even stronger the unbroken and historic friendship, which was so auspiciously begun between our two nations by the first peaceful visit of our fleet under Commodore Perry in 1854;

"That in the solution of the greatest problem of the twentieth century — the coming together of the millions of the East and the millions of the West — Japan, by her hearty adoption of the four great principles we love, namely, representative government, universal education, religious liberty and open courts of justice, and the United States, by her more than half a century of political sympathy with Japan, are especially fitted for a moral alliance that shall unwaveringly stand for righteousness and justice, and therefore perpetual peace between the peoples of the East and those of the West."

Encouraging Events of the Past Year.

BY HON. JOHN W. FOSTER, CHAIRMAN.

Address at the opening of the Lake Mohonk Conference on International Arbitration, May 20, 1908.

The events of the past year give encouragement and hope to the attendants upon the Mohonk Arbitration Conference that their high ideal of a substitution of arbitration for war may yet become a reality; but these events also show that there is much work to be done before this ideal is realized.

Three events of the past year have greatly advanced the cause of international peace and arbitration. The first and most important of these is the second Peace Conference at The Hague, which must be regarded as in some respects the most important event in the history of the human race. It did not accomplish all that the ardent friends of peace desired, and notably so in the cause of arbitration; but a marked advance was made in that cause. The treaty on the subject made by the first Peace Conference of 1899 was amended and improved both in respect to commissions of inquiry and the court of arbitration; while a treaty for obligatory arbitration could not be agreed upon, owing to the opposition of a few powers, the vote of the Conference was unanimous in favor of the principle; and the bases for a permanent tribunal of arbitration were approved, to be put in operation as soon as the composition of the tribunal can be determined.

The second event of importance was the Peace